

Passed: 8-0

ORDINANCE 94-03
TO AMEND THE BLOOMINGTON ZONING MAPS FROM RE to RS,
GRANT PUD DESIGNATION, AND OUTLINE PLAN APPROVAL
Re: 3201 Rogers Rd.
(Kenny Blackwell, et al, Petitioner)

WHEREAS, the Common Council passed a Zoning Ordinance amendment and adopted new incorporated zoning maps on June 7, 1978 which are now incorporated in Title 20 of the Bloomington Municipal Code; and

WHEREAS, the Plan Commission has considered this case, RS/PUD-34-93, and recommended that the petitioner, Kenny Blackwell, et al, be granted an amendment to the Bloomington zoning maps, PCD designation, and outline plan approval and request that the Common Council consider his petition;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-4 that the zoning be changed from RE to RS for the property located at 3201 Rogers Road. That property is further described as follows:

A part of the Southwest Quarter of Section 11, Township 8 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows: **COMMENCING** at a railroad spike found at the southeast corner of said quarter section; thence NORTH 87 degrees 49 minutes 45 seconds West (assigned bearing basis), 445.50 feet along the south line of said quarter section to a 5/8" rebar set at the POINT OF BEGINNING; thence NORTH 87 degrees 49 minutes 45 seconds West 1498.18 feet along the aforesaid south line to the southeast corner of Somerset East; thence NORTH 01 degrees 02 minutes 00 seconds West 803.75 feet along the east line of said Somerset East and Spicewood II, Section II, to a found P.K. Nail; thence SOUTH 86 degrees 25 minutes 39 seconds East 1964.25 feet along the south line of Kensington Subdivision and land of B&E Partnership, to a found 5/8" rebar; thence SOUTH 00 degrees 05 minutes 49 seconds West 292.86 feet along the west line of Kensington Park and of land of Grossman to a set 5/8" rebar; thence SOUTH 45 degrees 12 minutes 26 seconds West 631.78 feet along land of Mackey to the Point of Beginning. Said tract containing 32.54 acres, more or less.

ALSO,

A part of the Southwest Quarter of Section 11, Township 8 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows: **BEGINNING** at the southeast corner of Kensington Subdivision (Plat Cabinet "C", Envelope "1"), at a 5/8" rebar with yellow cap; thence NORTH 02 degrees 18 minutes 19 seconds East 971.49 feet to the south line of Hyde Park Subdivision, Section VIII (Plat Book 8, Page 59); thence on and along said south line, SOUTH 88 degrees 24 minutes 42 seconds East 740.70 feet to the west line of Hyde Park Subdivision, Section XIII, Phase II (Plat Cabinet "C", Envelope "50"); thence on and along said west line of Hyde Park Subdivision, Section XIII, and Kensington Park, Phase I (Plat Cabinet "C", Envelope 79), SOUTH 00 degrees 06 minutes 10 seconds West 998.73 feet; thence NORTH 86 degrees 25 minutes 39 seconds West 779.22 feet to the Point of Beginning. Said tract containing 17.176 acres, more or less.

SECTION II. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved and that the property described be designated a PUD.

SECTION III. The Outline Plan shall be attached and made a part of this ordinance.

SECTION IV. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 19th day of January, 1994.

Jim Sherman
JIM SHERMAN, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20th day of January, 1994.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 20th day of January, 1994.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants rezone of approximately 50 acres from RE to RS with PUD designation and outline plan approval which includes 128 single family home lots and dedication of a six acre park.

Signed upon to -
Planning
Recreation

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 94- is a true and complete copy of Plan Commission Case Number RS/PUD-34-93 which was given a recommendation of approval by a vote of 10 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on November 22, 1993.

Date: November 23, 1993

Tim Mueller
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____,

Patricia Williams
Patricia Williams, City Clerk

Appropriation _____ Fiscal Impact _____
Ordinance # _____ Statement # _____ Resolution # _____
Ordinance

Type of Legislation:

Appropriation	End of Program	Penal Ordinance
Budget Transfer	New Program	Grant Approval
Salary Change	Bonding	Administrative Change
Zoning Change	Investments	Short-Term Borrowing
New Fees	Annexation	Other _____

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____ Emergency _____
Unforeseen Need _____ Other _____

Funds Affected by Request:

Fund(s) Affected	_____	_____
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	_____	_____
Revenue Expected for Rest of year	_____	_____
Appropriations to Date	_____	_____
Unappropriated Balance	_____	_____
Effect of Proposed Legislation (+/-)	_____	_____
Projected Balance	\$ _____	\$ _____

Signature of Controller _____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes _____ No _____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

MEMO

To: Common Council
From: Planning Department
Petitioner: Kenny Blackwell, et al
Case No: RS/PUD-34-93
Location: 3201 Rogers Rd., Bloomington, IN 47401
Subject: Rezone from RE to RS with PCD designation and
outline plan approval along with a six acre park
dedication

On November 22, 1993 the Bloomington Plan Commission approved the above mentioned proposal for rezone from RE to RS with PCD designation and outline plan approval of approximately 50 acres located at 3201 Rogers Rd. The proposal allows for 128 single family homes and includes the dedication of a six acre park. Variance from street setback was granted for lots 19-28 in order to preserve the tree line running through those lots.

Approval was granted with the conditions that:

1. A variance from the street setback for lots 19-28 from 25 ft. to 15 ft. be approved.
2. The tree line on lots 19-28 be preserved.
3. Pedestrian access from the neighborhood into the park land be dedicated in to location: One such dedication being in an adequate location and in sufficient width to accommodate reasonable park entrance needs for pedestrian and service vehicle access.
4. A 10' pedestrian and access easement be in place for access to the necessary walkway and utilities.
5. The six acre park be dedicated and the park site be situated to connect with the pedestrian access from the east.
6. The commission reserves the right to request additional landscaping along Sare Rd. or Rogers Rd. if necessary due to road improvement plans in those locations.
7. The commission reserves the right to look at the issue of accel/decel/blister entrance improvements on Rogers Rd.
8. The commission reserves the right to consider revisions to the plan, if necessary, to accommodate drainage problems.

